

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RALPH ALAN DEGELE,

Defendant.

CR 21–81–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on January 13, 2022. (Doc. 21.) Neither party objected and therefore they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that this Court accept Defendant Ralph Alan Degele’s guilty plea after he appeared before him pursuant to Rule 11 of the Federal Rules of Criminal Procedure, and entered a guilty plea to one count of

false statement during a firearms transaction, in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2) (Count I), as set forth in the Indictment. Reviewing for clear error, the Court finds none.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendation (Doc. 21) is ADOPTED in full.

IT IS FURTHER ORDERED that Mr. Degele's motion to change plea (Doc. 14) is GRANTED and he is adjudged guilty as charged in Count I of the Indictment.

DATED this 28th day of January, 2022.



Dana L. Christensen, District Judge
United States District Court